MR. GLADSTONE

ON THE

REJECTION

OF

MR. PARNELL'S TENANT RELIEF BILL OF 1886.

AND

THE PLAN OF CAMPAIGN.

PUBLISHED BY

THE IRISH LOYAL AND PATRIOTIC UNION.

OFFICES: 109, GRAFTON-STREET, DUBLIN; 26, PALACE CHAMBERS, BRIDGE-STREET, WESTMINSTER.

DUBLIN: HODGES, FIGGIS, & CO., GRAFTON-STREET.

1888. [501

Acc 97.148 (4)

'Well, the Government were asked by Mr. Parnell and by others to introduce some Bill which would give relief, or, at any rate, time, to these people in their hour of necessity, and it was evident that the necessity in this case was extreme. Mr. Parnell, indeed, brought in a Bill to give this relief. It may have been capable—indeed I think it was capable—of correction and improvement; but still the principle of the Bill was sound and good, and the Liberals voted for that Bill. But the Tories were joined and supported by the whole mass of those gentlemen who think themselves the best of Liberals. So these gentlemen cast out Mr. Parnell's Bill by a large majority, and left the tenantry of Ireland to eviction and starvation. What happened then? Why, the Plan of Campaign came in, and notwithstanding the extra-legal mind of the Government, or, if you like to call it so, the anti-legal mind of the Government —I will not stay to define that now—but I say now, as I have said again and again, that the Plan of Campaign is the child of the present Administration —they have forced it into existence. How can you say that those men are wrong who, by the Plan of Campaign, save people from eviction and starvation? What are the facts of the case? In 1886, the question of judicial rents was raised, and in that year the Government said that nothing would induce them to touch judicial rents. And they did not base that argument upon temporary or casual grounds, but they said it would be a dishonourable and immoral act. How could they do a dishonourable and immoral act? It was quite impossible. They therefore rejected Mr. Parnell's Bill because its proposals were "dishonourable and immoral." The Plan of Campaign sprang out of that rejection, and its object was to save the bulk of the people from eviction and distress.'—Mr. Gladstone, at Hampstead—*Times*, July 2nd, 1888.

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It has been asserted by Mr. Gladstone, and the assertion has been reiterated *ad nauseam* in the House of Commons and the country, that the Unionist Party, and especially the Liberal Unionists, are really responsible for the Plan of Campaign, in consequence of their action in voting against the Tenants Relief (Ireland) Bill, introduced by Mr. Parnell, in August, 1886, into the House of Commons.

This assertion is easily made by those, or in the presence of those, who forget the facts; but a short examination of these will expose its falsity.

In August, 1886, Mr. Parnell came to the House of Commons with a definite complaint, and he proposed a definite remedy.

His complaint was as follows:—Two classes of Irish tenants require immediate relief. These are (1) those tenants who have had judicial rents fixed under the Land Act of 1881, before the last day of December, 1884, and (2) certain leaseholders.

It must be clearly borne in mind that Mr. Parnell, by his Bill, asked no relief whatever for non-judicial tenants, or for judicial tenants whose rents were fixed after December 31st, 1884. He only asked relief for 100,000 yearly tenants, and he deliberately refrained from asking relief for 450,000 more.

Now, on what grounds did Mr. Parnell ask relief for these two classes, and for these only?

As regards the judicial tenants who had rents fixed in 1881, 1882, 1883, and 1884, Mr. Parnell based his demand entirely on the ground that prices had fallen, and were falling, to such a degree in 1886, that the fair rents fixed in the earlier years by the Land Commission could no longer be paid.

As regards the leaseholders, Mr. Parnell, doubtless, may have been for some time in favour of admitting them to the benefits of the Land Act of 1881, but they were included in this particular Bill solely in consequence of the urgency of their position caused by the fall in prices already mentioned.

What, then, did Mr. Parnell propose to do?

His proposals were threefold, and embodied in the three clauses of his Bill. The first and third of these clauses dealt with the judicial tenants for

whom he sought relief; the second with the limited number of leaseholders he sought to benefit.

He practically divided the cases of judicial tenants into two classes:—

(1.) Cases where the landlord had taken no steps to recover the rent due. These cases were dealt with in Clause 1.

(2.) Cases where the landlord had taken such steps. These cases were dealt with in Clause 3.

In the former group of cases, those where the landlord had remained quiescent, Mr. Parnell proposed that any tenant who paid half the rent due for 1886, and half all his arrears, should be entitled to appeal to the Land Commission for an abatement which might equal the remaining half.

In the latter group of cases, those where the landlord had dared to have recourse to the law courts, Mr. Parnell proposed that any tenant who paid half the rent and arrears due, *not to the landlord*, but into Court, should be entitled to similar treatment.

With regard to those leaseholders who held leases for a short term, Mr. Parnell proposed no remedy at all as regards arrears, but merely that they should become present tenants, at the rent mentioned in the lease, and so be entitled, as soon as they could, to go into Court and ask to have a fair rent fixed.

This is a full and accurate summary of Mr.

Parnell's proposals, as they came before the House of Commons in August, 1886.

The Unionist Party in general, and the Liberal Unionist Party in particular, were then invited to consider them, and to decide whether the Bill was just or unjust.

The undoubted *consensus* of opinion was that Clause 2—that dealing with the leaseholders—was in itself not unjust, but that it was utterly valueless, inasmuch as it provided no urgent relief whatever. The leaseholders were not to get, under this Bill, the benefit of any abatement whatever of either rent or arrears, but simply to bide their time till their case would come before the Land Commission. *This in the vast majority of cases could not have been for years.* It may be added that the ninety-nine years' leaseholders, and others outside the terms of the Land Act of 1881 who have since been legislated for by the Unionist Party, were left out altogether.

The *consensus* of opinion was equally strong that Clauses 1 and 3 were in themselves 'dishonourable and immoral.'

For this decision there were four main reasons, in addition to the general difficulty felt in legislating while a Royal Commission was actually sitting, and before it had reported.

These reasons were as follows :—

1. That Mr. Parnell's treatment of the arrears was unjust.

2. That his proposal to withhold 50 *per cent.*, pending legal decision, was, on his own showing, absolutely indefensible.

3. That his attempt to punish landlords who had had recourse to their undoubted legal rights was most unfair.

4. That the whole Bill had no machinery whatever to effect its object, and was therefore a mere *sham Bill, not intended to be carried*, but only moved in order (*a*) to embarrass the Government, and (*b*) in the hope that its rejection might afford a plea for agitation—possibly an excuse for the Plan of Campaign itself.

A few words will make each of these grounds quite clear.

1. **Arrears.**—Mr. Parnell's own contention was, that 1881, 1882, 1883, and 1884 were comparatively good years. The rents fixed then were presumably fair rents; but they became too high (it was alleged) in 1886. If this were true, these tenants, if honest, should have paid, and ought to have been well able to pay, the fair rents fixed in 1881, 1882, 1883, and 1884. The year 1885 remains. What about it? Mr. Parnell, on his own showing, was quite satisfied with that year. He made no complaint whatever of the rents fixed then, and asked for nothing for the tenants who went into Court then.

Now, it is a matter of the very first order of importance to remember that *the reductions of rent made in* 1885 *were less than in any other year since the Land Commission commenced its operations.* Yet Mr. Parnell never complained of this. It is then evident that the tenants who got better terms in 1881, 1882, 1883, or 1884, than they would have got in 1885, had no unfair arrears to complain of as regards that year. Even granting, therefore, that Mr. Parnell made out a case of remitting 50 *per cent.* of the rent due for 1886, he made out no case whatever for remitting even 1 *per cent.* of the antecedent arrears.

It should be clearly understood that we are now expressing no opinion whatever on the arrears question. There may or may not be many tenants in Ireland in arrears through no fault of their own, and requiring relief. Since August, 1886, many may or may not have fallen into this condition. This may be true of many non-judicial tenants or may not. We only assert that such tenants were not to be found, by any process of reasoning, in the tenants who had fair rents fixed in 1881, 1882, 1883, or 1884—the only class whom Mr. Parnell in his Bill sought to benefit.

2. **Payment of 50 per cent.**—What of Mr. Parnell's proposal that, pending a judicial decision, the tenants should only pay 50 *per cent.*? In connexion with this proposal, it must be remembered that the Government and the House of Commons had before them the following figures:—

Average Reduction per cent. made in Old Rent.

For the year ending August,		1882,	20.5 *per cent.*
,,	,,	1883,	19.5 ,,
,,	,,	1884,	18.7 ,,
,,	,,	1885,	18.1 ,,
,,	,,	1886,	24.1 ,,

Now, here again was Mr. Parnell's case. Certain tenants had fair rents fixed in 1886. In these cases the Courts had made reductions in the rents greater, at the outside, by 5½ per cent. only than in any of the years from 1881 to 1884. These reductions represents the deliberate opinion of the very Courts, *who were to be the arbiters under Mr. Parnell's Bill.*

Why, then, the question at once arose, make such a monstrous proposal as that of giving the Court a margin of 50 *per cent.* on which to operate? That is, a margin nearly *ten times greater* than the greatest difference between the rent fixed in any of the years dealt with in Mr. Parnell's Bill and in 1886. Let it be remembered that the 50 *per cent.* was to come, not off the old, but off the already reduced rent. The proposal was logically indefensible, calculated to excite the most extravagant expectations, and to strike a blow at every feeling of regard for common honesty.

In addition to this, it was keenly felt that this would practically be to earmark the 50 *per cent.* The Land Commission Courts would be called on to operate, with a tacit suggestion from the House

of Commons, that they should give 50 *per cent.* abatement on judicial rents. We have seen often the effect of similar suggestions conveyed unintentionally in Acts of Parliament. To take one apt illustration from many, we would instance the Licensing Acts. There the Legislature has laid it down that every *bonâ fide* traveller must have travelled at least three miles. But while the Legislature has by no means decreed the converse of the proposition, viz. that every one who has travelled three miles is a *bonâ fide* traveller, the law has been almost invariably so interpreted both in and out of Ireland. The language of the Bill would, in many cases, have been interpreted as saying, 'You may reduce rents 50 *per cent.*, but no more.'

3. **The Penal Clause.**—The difference between the first and third Clauses of Mr. Parnell's Bill was simply the imposition of a grossly unjust penalty on the landlord who had the audacity to assert his rights before a legal tribunal. This was in itself unjust, and it would have worked horrible injustice, especially in the case of poorer landlords, who might have been kept out of *every halfpenny* of what was due to them for many months, *if not years*. Half the money under Clause 3 was to be paid *into Court*, and not one fraction of this was to reach the landlord till the application for an abatement on the other half was settled. There was neither reason nor justice in this proposal.

4. **The Absence of Machinery.**—The Bill was absolutely a bogus Bill. No urgent relief could

have been given by it at all. It created a state of things under which 150,000 tenants were entitled to go before the Land Court. Let us suppose 100,000 tenants would have gone. Now it has taken the existing Land Courts five years to dispose of 100,000 cases, and the same machinery would have taken at least the same time to treat these terribly urgent cases, which could not wait for a Land Bill in the Session of 1887. *At least as many cases have already been automatically settled under the Government Bill of* 1887, *and this not in five years, but in less than twelve months.*

It may, however, be urged in reply to this:—'Yes, there were many indefensible points in the Bill of 1886; but why not let it go into Committee? It could have been altered there.'

Altered! Yes, it might have been utterly transformed. In the first Clause 20 *per cent.* might have been put for 50, and the arrears provision struck out. The second clause might indeed have been left alone; but then the House of Commons could not have been asked to legislate for leaseholders again in 1887, and the settlement thus arrived at in their case would have been miserably inferior to that since effected. The third Clause might have been altogether omitted, and a clause supplying some machinery might have been put in its place; but what would Mr. Gladstone and the Party have said who now say that the rejection of the Bill was the cause of the Plan of Campaign? They would then have said that the mutilation of

the Bill was the cause. *It would have made no difference to them whatever.*

But all this was to be done in the absence of any accurate information. Government and the Unionist Party said repeatedly, 'Let us wait till the Cowper Commission has reported. When we know the facts, early next session, we will introduce and pass a Bill.'

This was in itself a sensible decision, to which only one reply could be given. Mr. Parnell said, 'I know the facts, and my lieutenants know the facts.' The Gladstonians said, 'These members from Ireland know the facts, so listen to them and pass the Bill.'

Now, did Mr. Parnell or his lieutenants know the facts in the least? They knew nothing whatever about them which other people did not know; and it is easy to demonstrate now that, if their present contention, viz. that the rejection of their Bill brought about the Plan, then their Bill was based on blank ignorance of the facts of the case.

They came forward, and asked for relief, as has been shown, for certain persons. As asked for, the relief was refused. The Plan followed the refusal in point of time: but let this be carefully remembered, that there is no correspondence whatever between the parties for whom Mr. Parnell sought relief in August, 1886, and the parties who have united in that illegal conspiracy called the Plan of Campaign.

Take the Massereene estate. There are on that

estate 327 holdings. In 90 the tenants have judicial rents; in 20 the leaseholders; in the remaining cases the tenancies are non-judicial. The 90 and 20 (110 in all) are the only parties who could have been benefited by Mr. Parnell's Bill, *plus* the suitable machinery for carrying it into effect; but the entire body of the tenantry (*the Protestants standing out*) were marshalled into line by the standard bearers of the Plan of Campaign.

Now what follows from this? A series of indispensable conclusions. If Mr. Parnell's Bill proposed all the necessary relief, the conduct of the nonjudicial tenants, who can (and could for the last seven years) go at any time into Court, is absolutely immoral and indefensible. If, however, their conduct is defensible, Mr. Parnell knew nothing of their case in August, 1886, and wanted to hurry on legislation about matters of which he had not even mastered the elementary facts. In any case, their adoption of the Plan has no connexion whatever with the rejection of a Bill by which they were not at all affected.

Take the Luggacurran estate, with hardly a leaseholder, and hardly a judicial tenant. Hardly anyone there was affected in the least by the acceptance or rejection of Mr. Parnell's Bill; but Mr. William O'Brien made this place the theatre of some of his most famous *escapades* about the Plan.

Take the Coolgreany estate, with 114 tenants, of whom 15 are judicial tenants, and 22 leaseholders, making 37 in all, possibly affected by the Bill, while

77 are non-judicial tenants utterly untouched by a single line of its provisions. But 80 Coolgreany tenants (*all the Protestants again standing out*), joined the Plan, and Mr. Dillon advocated it there.

Examples like these might be multiplied, and illustrations might be drawn from the facts of almost every Campaign estate. Those given are quite sufficient. But, even without them, it is not difficult to refute the proposition that the Unionist Party is to blame for the existence of robbery, which is illegal, after, or even because, it refused to give that robbery legal sanction.